

ORIGINAL**FILED**

10/31/2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: DA 16-0242

IN THE SUPREME COURT OF THE STATE OF MONTANA**No. DA 16-0242****IN THE MARRIAGE OF:****HEATHER N. NAGEL,
n/k/a HEATHER CONNOR,****Petitioner and Appellant,****and****CODY J. NAGEL,****Respondent and Appellee.****FILED****OCT 31 2016***Ed Smith*
CLERK OF THE SUPREME COURT
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME
AND AFFIDAVIT IN SUPPORT**

Paul Sullivan, counsel of record for Petitioner and Appellant, respectfully requests an extension of time until November 30, 2016, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. In support of this motion, undersigned counsel respectfully submits the following affidavit.

Respectfully submitted October 31, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By: 

Paul Sullivan

STATE OF MONTANA)
 :ss.
County of Flathead)

I, Paul Sullivan, pursuant to § 1-1-203, MCA, declare:

1. I am a licensed, practicing attorney in the State of Montana.
2. I am counsel of record for the Appellant in this case.
3. The Appellant's opening brief is presently due on October 31, 2016.

This is the fourth request for an extension.

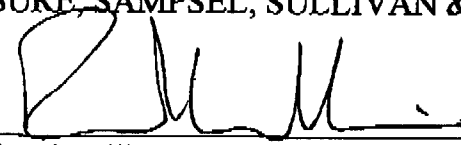
4. The parties have reached a settlement agreement and are negotiating final implementation. Further, I am in need of additional time to complete review of the trial transcripts, research, and writing of Appellant's opening brief.

5. I will work diligently to complete the matter in the time requested.
6. Opposing counsel has been contacted and does not object.
7. I declare under penalty of perjury that the foregoing is true and correct.

DATED: October 31, 2016.

MEASURE, SAMPSEL, SULLIVAN & O'BRIEN, P.C.

By:


Paul Sullivan

CERTIFICATE OF SERVICE

I hereby certify that I filed this Motion for Extension of Time and Affidavit
in Support with the Clerk of the Supreme Court of Montana on October 31, 2016,
at 1:33 PM.

I hereby certify that on October 31, 2016, I electronically served, mailed or
emailed a true and accurate copy of the foregoing Motion for Extension of Time
and Affidavit in Support to:

JENNIFER FORSYTH
Lorang Law, PC
410 3rd Avenue
Havre, MT 59501

Marlene K. Wiegand